

## Worksheet

### Determination of NEPA Adequacy (DNA)

#### U.S. Department of the Interior

#### Bureau of Land Management (BLM)

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OFFICE: Battle Mountain District (Tonopah Field Office)

TRACKING NUMBER: DOI-BLM-NV-B020-2017-0036-DNA

PROPOSED ACTION TITLE/TYPE: September 2017 Competitive Oil and Gas Lease Sale

LOCATION/LEGAL DESCRIPTION: See Attachment A

LEASE SALE STIPULATIONS: See Attachment B

#### **A. Description of the Proposed Action and any applicable mitigation measures**

A competitive oil and gas lease sale of certain public land within the Battle Mountain District, Tonopah Resource Management Planning Area by the U.S. Department of the Interior, Bureau of Land Management, Nevada State Office, pursuant to 43 CFR 3100; scheduled for September 12, 2017.

#### **B. Land Use Plan (LUP) Conformance**

LUP Name: *Tonopah Resource Management Plan (RMP) and Record of Decision*

Date Approved: October 2, 1997

The proposed action is in conformance with the LUP. It is addressed by the following LUP objective: "The Tonopah Resource Management Plan objective is to provide opportunities for exploration and development of fluid minerals such as oil, gas, and geothermal resources, using appropriate stipulations to allow for the preservation and enhancement of fragile and unique resources" (p. 22, 1997 Tonopah RMP). The proposed lease parcels are on lands designated as open to fluid minerals leasing (p. 22-23, Map 34 and Appendix 14, 1997 Tonopah RMP).

#### **C. Identify applicable National Environmental Policy Act (NEPA) documents and other related documents that cover the proposed action.**

List by name and date all applicable NEPA documents that cover the proposed action.

The Tonopah RMP and Record of Decision (approved on October 2, 1997) and the Proposed Tonopah RMP and Final Environmental Impact Statement (EIS) (approved September 30, 1994).

**D. NEPA Adequacy Criteria**

- 1. Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?**

Yes. The proposed oil and gas lease parcels are included in the acreage previously analyzed and designated as open for fluid minerals leasing (subject to restrictions in some areas) in the Tonopah RMP. They are very near/adjacent to one of the parcels (# 106) specifically considered in DOI-BLM-NV-B020-2017-0002-EA, have geographic and resource conditions that are sufficiently similar, and would be subject to the same stipulations and lease notices attached to that parcel. Applications for exploration and/or development at specific sites would be subject to additional project-specific, site-specific environmental analysis before ground-disturbing actions would be approved.

- 2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, and resource values?**

Yes. Environmental concerns, interests, and resource values have changed little since the analysis documented in DOI-BLM-NV-B020-2017-0002-EA. The environmental constraints for fluid minerals leasing, the acres available for leasing and the areas closed to mineral leasing have not changed since the Tonopah RMP was finalized or the EA was signed.

- 3. Is the existing analysis valid in light of any new information or circumstances (such as rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new proposed action?**

Yes. There is no new information or circumstance that would substantially change the Tonopah RMP or June 2017 Competitive Oil and Gas Lease Sale analyses of areas open to oil and gas lease sales. Oil and Gas stipulations are intended to be applied according to the current status and condition of any given parcel at the time of lease sale, as identified and recommended by resource specialists familiar with the current information and circumstances.

- 4. Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?**

Yes. Oil and Gas leasing per se creates no impact to the environment. The lease confers upon

the holder the right to use as much of the land as is necessary to explore for, drill for, mine, extract, remove and dispose of all the oil and gas resources in a leasehold, subject to stipulations, restrictions, and reasonable measures to minimize adverse impacts to other resources. The right to use the land for these purposes does not authorize the leaseholder to create any surface disturbance or cause any impact to the environment. DOI-BLM-NV-B020-2017-0002-EA analyzes the indirect, future potential effects of lease sale, and potential cumulative effects, in terms of a reasonable future development scenario. Exploration and/or development proposals will be further analyzed for direct, indirect and cumulative effects at the time the proposals are submitted. Any issued oil and gas leases located on BLM-administered public land will be subject to the applicable stipulations and best management practices (BMPs) established by the BLM.

**5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those identified in the existing NEPA document(s)? Does the existing NEPA document sufficiently analyze site-specific impacts related to the current proposed action?**

Yes. The proposed action does not authorize any surface or subsurface use or disturbance; therefore, there will be no direct impact with this action. Indirect and cumulative impacts are considered in DOI-BLM-NV-B020-2017-0002-EA for each proposed lease parcel, including parcel #106 which is near and sufficiently similar to the parcels currently proposed. When and if ground disturbing activities are proposed, they will be subject to additional site-specific analysis. See items 1, 3 and 4 above.

**6. Can you conclude without additional analysis or information that the cumulative impacts that would result from implementation of the current proposed action are substantially unchanged from those analyzed in the existing NEPA document(s)?**

Yes. The Cumulative Effects Study Area for DOI-BLM-NV-B020-2017-0002-EA encompasses the currently proposed parcels, and the proposed action is substantially the same.

**7. Are the public involvement and interagency review associated with existing NEPA document(s) adequately for the current proposed action?**

Yes. The Tonopah RMP and DOI-BLM-NV-B020-2017-0002-EA processes both included extensive public involvement as documented in pages 39-42 of the Tonopah RMP, and Section 1.13 of DOI-BLM-NV-B020-2017-0002-EA.

### **E. Persons/Agencies/BLM Staff Consulted**

**Agencies:** Nevada Department of Wildlife; U.S. Fish and Wildlife Service

#### **BLM Staff:**

Greg Bjornstrom, Wildlife Biologist

Jonah Blustain, Cultural Resources Specialist

Wendy Seley, Realty Specialist

Dashell Burnham, Rangeland Management Specialist

Elizabeth Freniere, Wild Horse and Burro Specialist

Melissa Jennings, Geologist

Juan Martinez, Native American Coordinator

Joy Fatooh, Planning and Environmental Coordinator

Will Coyle, Project Lead


### **Conclusion**

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan as amended, and that the NEPA documentation fully covers the proposed action and constitutes BLM's compliance with the requirements of the NEPA.



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Signature of Project Lead



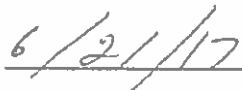
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Signature of NEPA Coordinator



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Signature of Responsible Official TFO



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Date

**Note:** The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

## Attachment A

**NV-17-09-001            1280.000 Acres**

T.0070N, R.0560E, 21 MDM, NV

Sec. 015    ALL;

022    ALL;

Nye County

Battle Mountain DO

Formerly Lease No.

**NV-17-09-002            1280.000 Acres**

T.0070N, R.0560E, 21 MDM, NV

Sec. 028    ALL;

033    ALL;

Nye County

Battle Mountain DO

Formerly Lease No.

**NV-17-09-003            1120.000 Acres**

T.0070N, R.0560E, 21 MDM, NV

Sec. 027    N2, SW;

034    ALL;

Nye County

Battle Mountain DO

Formerly Lease No.

Total # of Parcels: 3

Total acres: 3,680.00

Total # of Parcels with Pre-Sale Offers: 0

Total Acres with Pre-Sale Offers: 0

## Attachment B

### F. Stipulations and Lease Notices

*Stipulations* are restrictions that are included in the current applicable land use plan – the Tonopah RMP.

*Lease Notices* serve to inform prospective lessees of other regulatory authorities that may apply to a parcel.

#### **Lease Notice - T&E, Sensitive and Special Status Species (#NV-B-06-A-LN)**

##### *Endangered Species Act Section 7 Consultation Lease Notice:*

The lease area may now or hereafter contain plants, animals, or their habitats determined to be threatened, endangered, or other special status species. BLM may recommend modifications to exploration and development proposals to further its conservation and management objective to avoid BLM-approved activity that will contribute to a need to list such a species or their habitat. BLM may require modifications to or disapprove proposed activity that is likely to result in jeopardy to the continued existence of a proposed or listed threatened or endangered species or result in the destruction or adverse modification of a designated or proposed critical habitat. BLM will not approve any ground-disturbing activity that may affect any such species or critical habitat until it completes its obligations under applicable requirements of the Endangered Species Act as amended, 16 U.S.C. §1531 et seq., including completion of any required procedure for conference or consultation.

Parcel #	Legal Land Description
NV-17-09-001 through NV-17-09-003	ALL LANDS

#### **Lease Notice – Timing Limitation – Migratory Birds (#NV-B-06-C-LN)**

Surface-disturbing activities during the migratory bird nesting season (March 1 to July 31) may be restricted in order to avoid potential violation of the Migratory Bird Treaty Act. Appropriate inventories of migratory birds shall be conducted during analysis of actual site development. If active nests are located, or if other evidence of nesting is observed (mating pairs, territorial defense, carrying of nesting material, transporting of food), the proponent shall coordinate with BLM to establish appropriate protection measures for the nesting sites. Protection measures may include avoidance or restricting or excluding development in certain areas until nests and nesting birds will not be disturbed. After July 31, no additional avian surveys should be required until the following year.

Parcel #	Legal Land Description
NV-17-09-001 through NV-17-09-003	ALL LANDS

**Lease Notice – Cultural Resources and Tribal Consultation**

**(#NV-B-07-A-LN)**

*Cultural Resources and Tribal Consultation Notice:*

This lease may be found to contain historic properties and/or resources protected under the

National Historic Preservation Act (NHPA), American Indian Religious Freedom Act, Native American Graves Protection and Repatriation Act, Executive Order 13007, or other statutes and executive orders. The BLM will not approve any ground-disturbing activities that may affect any such properties or resources until it completes its obligations (e.g., State Historic Preservation Officer (SHPO) and tribal consultation) under applicable requirements of the NHPA and other authorities. The BLM may require modification to exploration or development proposals to protect such properties, or disapprove any activity that is likely to result in adverse effects that cannot be successfully avoided, minimized, or mitigated.

Parcel #	Legal Land Description
NV-17-09-001 through NV-17-09-003	ALL LANDS

**Lease Notice - Mining Claims**

**(#NV-B-13-A-LN)**

This parcel may contain existing mining claims and/or mill sites located under the 1872 Mining Law. To the extent it does, the oil and gas lessee must conduct its operations, so far as reasonably practicable, to avoid damage to any known deposit of any mineral for which any mining claim on this parcel is located, and should not endanger or unreasonably or materially interfere with the mining claimant's operations, including any existing surface or underground improvements, workings, or facilities which may have been made for the purpose of mining operations. The provisions of the Multiple Mineral Development Act (30 U.S.C. 521 et seq.) shall apply on the leased lands.

Parcel #	Legal Land Description
NV-17-09-001 through NV-17-09-003	ALL LANDS

**Lease Notice - Fire**  
**(#NV-B-15-A-LN)**

The following precautionary measures should be taken to prevent wildland fires. In the event your operations should start a fire, you could be held liable for all suppression costs.

- All vehicles should carry fire extinguishers and a minimum of 10 gallons of water.
- Adequate fire-fighting equipment i.e. shovel, pulaski, extinguisher(s) and a minimum 10 gallons of water should be kept at the drill site(s).
- Vehicle catalytic converters should be inspected often and cleaned of all brush and grass debris.
- When conducting welding operations, they should be conducted in an area free from or mostly free from vegetation. A minimum of 10 gallons water and a shovel should be on hand to extinguish any fires created from the sparks. Extra personnel should be at the welding site to watch for fires created by welding sparks.
- Report wildland fires immediately to the BLM Central Nevada Interagency Dispatch Center (CNIDC) at (775) 623-3444. Helpful information to reported is location (latitude and longitude if possible), what's burning, time started, who/what is near the fire and direction of fire spread.
- When conducting operations during the months of May through September, the operator must contact the BLM Battle Mountain District Office, Division of Fire and Aviation at (775 635-4000) to find out about any fire restrictions in place for the area of operation and to advise this office of approximate beginning and ending dates for your activities.

Parcel #	Legal Land Description
NV-17-09-001 through NV-17-09-003	ALL LANDS





### O&G Lease Sale September 2017

**Legend**

□ O&G Gas Sale Sept. 2017    □ Section

**Land Status**    □ Township

**Agency**

Bureau of Land Management

Forest Service

Private

**Nevada**

**Map Extent**

0 1 2 4 Miles

**United States Department Of The Interior**

Bureau of Land Management  
 Tonopah Field Office  
 105 S. Main Street P.O. Box 911  
 Tonopah, NV 89049

Map Date: May 11, 2017

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